United Nations A/58/865-S/2004/628

General Assembly
Security Council

Distr.: General
6 August 2004

Original: English

General Assembly
Fifty-eighth session
Agenda item 30
Question of Cyprus

Security Council
Fifty-ninth year

Letter dated 6 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

Further to our letter dated 23 July 2004 concerning a series of confidence-building measures proposed by the Government of the Republic of Cyprus on 16 July 2004 (A/58/857-S/2004/596), I have the honour to inform you that on 30 July 2004 the Government of the Republic of Cyprus announced concrete measures aimed at the faster and more efficient implementation of European Union Council Regulation 866/2004 of 29 April 2004, on a regime under Article 2 of Protocol No. 10 of the Act of Accession, which regulates, inter alia, the movement of persons and goods between the area of the Republic of Cyprus which is under the effective control of the Government and that which is not.

Specifically, these measures and initiatives are as follows:

1. Measures on the circulation of public-service vehicles owned by Turkish Cypriots

In order to facilitate the movement of Turkish Cypriots with mechanically driven vehicles and the transport of goods and passengers, the Council of Ministers of the Republic of Cyprus decided the amendment of the relevant national legislation, thus allowing for the free-of-charge issuing of a temporary driver's licence to Turkish Cypriots, as well as a temporary road service licence for vehicles owned by Turkish Cypriots. The Government's decision applies to the following categories of vehicles:

(a) Trucks to transport goods for own account;

(b) Trucks to transport goods for hire or reward;

(c) Tourist buses;

(d) Taxis owned by Cypriots or other European Union citizens having their normal residence in the area which is not under the effective control of the Government of the Republic of Cyprus.

Furthermore, the Council of Ministers decided to approve for translation into the Turkish language of all relevant legislation, documents and books concerning

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the syllabus of the written examination needed to obtain the necessary certificate to access the profession of road haulage or professional driver.

2. Measures to facilitate the movement of goods and the development of contacts and economic relations between Greek Cypriots and Turkish Cypriots

After a thorough study of European Union Council Regulation 866/2004 of 29 April 2004, the Government of the Republic of Cyprus has decided to formulate specific proposals for the amendment of that regulation so as to introduce more liberal provisions which will facilitate trade between Greek Cypriots and Turkish Cypriots. It also proposed measures under Council Directive 77/388/EEC aimed at applying simplified procedures in the field of value-added tax (VAT), which would render compliance with the acquis easier for persons operating within the Turkish Cypriot community. The proposals, which are currently being examined by the European Commission, refer to the following:

(a) Exemption from the obligation to register in the VAT Register for Turkish Cypriot undertakings, when transactions are carried out in the area under the effective control of the Republic of Cyprus with taxable Greek Cypriot undertakings;

(b) Simplification measures, under Article 24 of Directive 77/388/EEC, for Turkish Cypriot undertakings selling directly to the consumer in the area under the effective control of the Republic of Cyprus;

(c) Amendment of Article 4 (2) of Regulation (EC) 866/2004 so that goods eligible for export refunds or intervention measures will be allowed to cross the line to the area under the effective control of the Government of the Republic of Cyprus without being subject to customs duties or charges having an equivalent effect;

(d) Amendment of Article 5 of Regulation (EC) 866/2004 so that goods entering the Republic of Cyprus from other European Union member States or from third countries and destined for consumption in the area which is not under the effective control of the Government of the Republic of Cyprus will be liable to a zero rate of VAT. The same is to be valid for goods supplied from the area under the effective control of the Government of the Republic of Cyprus to the area which is not.

It should be noted that the aforementioned measures, though technical in nature, still have valuable political ramifications, in that they are in line with and contribute to the successful implementation of the European Union policy to facilitate the reunification of the island by encouraging the economic development of the Turkish Cypriot community, through proposals aimed at the economic integration of the island and the improvement of contacts between the two communities and with the European Union.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 30, and of the Security Council.

(*Signed*) Andreas **Hadjichrysanthou**
Chargé d'affaires a.i.

United Nations A/58/866–S/2004/631

General Assembly
Security Council

Distr.: General
9 August 2004
English
Original: Arabic

General Assembly
Fifty-eighth session
Agenda item 37
The situation in the Middle East

Security Council
Fifty-ninth year

Letter dated 4 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I provide you with the following summary of Israeli violations and acts of aggression against Lebanon:

Between 2225 and 2330 hours on 10 July 2004 Israeli enemy forces fired two illumination flares over Lebanese territory from one of their positions opposite the Wazzani region.

At 1540 hours on 11 July 2004 an Israeli gunboat in the open sea off Ra's Naqurah fired a number of rounds over the territorial waters. It returned between 2030 and 2330 hours and fired a number of illumination flares and rounds of fire in the direction of the said waters.

Between 0043 and 0420 hours on 12 July 2004 an Israeli reconnaissance aircraft overflew the sea off Damur and circled between Damur, Beirut and Sidon as well as over the sea at a distance of 5 miles from the coast, thus violating Lebanese airspace.

Between 0645 and 0840 hours on the same day an Israeli reconnaissance aircraft flew north-east over the sea off Sidon at a distance of 4 miles from the coast as far as a point west of Na'imah at a distance of 4 miles from the coast, thus violating Lebanese airspace.

Between 1110 and 1500 hours on the same day military aircraft overflew the occupied Shab'a Farms area at extremely high altitude. Between 2100 and 2115 hours two Israeli helicopters overflew the said area.

Between 0050 and 0530 hours on 13 July 2004, in the open sea off Ra's Naqurah, an Israeli gunboat fired a number of bursts over the territorial waters. Returning between 1240 and 1445 hours, it fired a number of rounds from medium-calibre weapons over the said waters.

Between 1045 and 1100 hours on 13 July 2004 four Israeli warplanes overflew the sea off Shikka at a distance of 12 miles from the coast, heading towards Shikka,

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flew over Shikka, Tripoli and Al-Arz (the Cedars), then returned in the direction of Byblos (Jubayl) and Beirut, thus violating Lebanese airspace.

At 1345 hours on 13 July 2004 Israeli enemy forces strafed the area around their position at Ruwaysat al-Alam, within the occupied Shab'a Farms area, with medium-weapons fire.

Between 2125 and 2200 hours on the same day two Israeli helicopters overflew the occupied Shab'a Farms.

At 1835 hours on 14 July 2004, in the open sea off Ra's Naqurah, an Israeli gunboat fired a number of rounds from medium-calibre weapons and an illumination flare over the territorial waters.

At 1400 hours on 15 July 2004 in the open sea off Ra's Naqurah, an Israeli gunboat fired an illumination flare over the territorial waters. Returning between 1135 and 2320 hours, it fired a number of rounds from medium-calibre weapons and an illumination flare over the said waters.

At 1850 hours on 15 July 2004 Israeli enemy forces strafed the area around their position on Radar hill, within the occupied Shab'a Farms area, with medium-weapons fire.

Between 2120 and 2359 hours on 15 July 2004 an Israeli reconnaissance aircraft overflew the sea off the Damur region at a distance of 12 miles from the coast, heading towards Beirut, then circled between Beirut and Damur and between Sidon and Beirut over the sea at a distance of 5 miles from the coast, thus violating Lebanese airspace.

Between 0700 and 1023 hours on 16 July 2004 an Israeli reconnaissance aircraft overflew the sea off Sidon heading in the direction of Beirut; reached a point west of Khaldah at a distance of 4 miles from the coast; headed out over the sea west of Khaldah at a distance of 5 miles from the coast; and circled between Khaldah and Beirut over the sea at a distance of 5 miles from the coast, thus violating Lebanese airspace.

Between 1155 and 1230 hours on 16 July 2004, in the open sea off Ra's Naqurah, an Israeli gunboat fired a number of rounds over the territorial waters. Returning between 1945 and 2220 hours, it fired a number of bursts over the said waters.

At 2344 hours on 18 July and at 2109 hours on 19 July 2004, in the open sea off Ra's Naqurah, an Israeli gunboat fired an illumination flare over the territorial waters.

Between 2140 and 0040 hours on the night of 18-19 July 2004 an Israeli reconnaissance aircraft overflew the sea off Sidon at an altitude of 24,500 feet, then circled over the sea between Sidon and Khaldah at a distance of 5 miles from the coast, thus violating Lebanese airspace.

Between 2045 and 2125 hours on the same date two Israeli helicopters overflew the sea off Ra's Naqurah, violating Lebanese airspace.

Between 1025 and 1135 hours on 20 July 2004 an Israeli reconnaissance aircraft flew at extremely high altitude over the Tibnin region. Between 1217 and 1545 hours on the same date, another Israeli reconnaissance aircraft overflew the

region of Rumaysh, heading towards the village of Alma al-Sha'b, and circled between those two areas, thus violating Lebanese airspace.

Between 1410 and 1810 hours on the same date an Israeli reconnaissance aircraft overflew the area of Alma al-Sha'b and Rumaysh, circled over them and over the area of Bint Jubayl, Juwayya and eastern Tyre at a distance of 5 miles from the coast, thus violating Lebanese airspace.

Between 1725 and 1840 hours on the same date an Israeli reconnaissance aircraft overflew the area of Rumaysh and circled over the region of Bint Jubayl, Juwayya, Ma'rakah and Qana, thus violating Lebanese airspace.

Between 1858 and 1923 hours on the same date two Israeli warplanes overflew the sea off Sidon heading towards Beirut, broke the sound barrier over the capital and headed towards Byblos (Jubayl), whereupon they circled over the sea. They then turned back in the direction of Beirut, over which they again broke the sound barrier, then headed out over the sea, thus violating Lebanese airspace.

At 1115 hours on 20 July 2004 Israeli enemy forces fired a tank shell from their position opposite the town of Ramiyah. The shell landed outside the village of Ayta al-Sha'b, in the locality known as Ruwaysat al-Hadab, causing the death of a member of the resistance.

At 1130 hours on the same date, reconnaissance aircraft overflew the areas of Rashaf and Bra'shit, while a warplane flew along the border. At 1135 hours Israeli enemy forces fired three tank shells from their position on Ramta hill in the occupied Shab'a farmlands, all of which fell in the area around Birkat al-Naqqar, in the said farmlands.

Between 1210 and 1255 hours on the same date two Israeli enemy helicopters overflew the villages of Ramiyah and Qawzah and fired five air-to-ground rockets at Tallat al-Khazzan and Ruwaysat al-Hadab, on the outskirts of the village of Ayta al-Sha'b. The shelling resulted in the outbreak of fires, which members of the Civil Defence worked to extinguish.

At 1300 hours on the same date, flying of military aircraft, gunship helicopter bombing and artillery strafing on Jabal Balat, between the villages of Marwahin and Ramiyah, were recorded. At 1330 hours an Israeli gunship helicopter fired an air-to-ground rocket at Tallat al-Kharrab, on the outskirts of Ayta al-Sha'b, without causing any significant losses.

These grave violations are part of a series of persistent and provocative Israeli violations of Lebanese territory, including air, sea and land, and go against the principles of international law, the resolutions of international legitimacy and your repeated calls for their cessation.

In view of these violations and the stepping-up of Israeli threats to Lebanon and the safety of its territory and its citizens, Lebanon calls upon the Security Council to deter and prevent Israel from such dangerous acts, which pose a threat to international security and peace. Lebanon places upon Israel full responsibility for any consequences to which those acts may give rise.

In drawing your attention to the gravity and possible consequences of such acts, I request to have this letter of complaint circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Ibrahim **Assaf**
Chargé d'affaires a.i.

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United Nations A/58/867–S/2004/633

General Assembly
Security Council

Distr.: General
10 August 2004
English
Original: Arabic

General Assembly
Fifty-eighth session
Agenda item 37
The situation in the Middle East

Security Council
Fifty-ninth year

Letter dated 4 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to provide you with a summary of Israeli violations and acts of aggression from 10 to 19 July and on 21, 26, 28, 30 and 31 July, and on 1 and 2 August 2004.

These grave violations are part of a series of persistent and provocative Israeli violations of Lebanese airspace and territory and are contrary to the principles of international law, the resolutions of international legitimacy and your repeated calls for their cessation.

In view of these violations and the stepping up of Israeli threats to Lebanon and the safety of its territory and its citizens, Lebanon calls upon the United Nations to deter Israel and warn it against such dangerous acts, which pose a threat to international security and peace. Lebanon holds Israel fully responsible for any consequences to which such acts may give rise.

In drawing your attention to the gravity and possible consequences of such acts, I request to have this letter of complaint circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Ibrahim **Assaf**
Chargé d'affaires a.i.

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Annex to the letter dated 4 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

Israeli violations of Security Council resolution 425 (1978) during the period from 10 July to 2 August 2004

[Original: English]

10 July 2004

Between 2225 and 2230 hours, Israeli occupation forces fired two flare shells over Lebanese territory from one of their positions facing the Alwazani area.

11 July 2004

At 1540 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired several bursts of medium machine-gun fire on the open sea, and between 2030 and 2330 hours fired many flare shells and several bursts of medium machine-gun fire on the open sea.

12 July 2004

Between 0043 and 0420 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Damour, and flew in a circular motion over Beirut-Saida.

Between 0645 and 0840 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, headed north to Naamch, then returned south.

Between 1110 and 1120 hours, an Israeli warplane violated Lebanese airspace at high altitude over the Shab'a farms.

Between 2100 and 2115 hours, two Israeli helicopters violated Lebanese airspace at a medium altitude over the Shab'a farms.

13 July 2004

Between 1045 and 1100 hours, four Israeli warplanes violated Lebanese airspace at different altitudes, entering from over the sea facing Chekaa, headed to Tripoli and Al Arz then to Jbeil-Beirut.

At 1345 hours, Israeli occupation forces raked by medium machine-gun fire the surroundings of their position in Rweiset Alalam inside the Shab'a farms.

Between 0050 and 0530 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired several bursts of medium machine-gun fire on the open sea, and between 1240 and 1445 hours fired several bursts of medium machine-gun fire on the open sea.

14 July 2004

At 1835 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired a flare shell and several bursts of medium machine-gun fire on the open sea.

15 July 2004

At 0014 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired a flare shell, and between 1135 and 2320 hours fired a flare shell and several bursts of medium machine-gun fire on the open sea.

At 1850 hours, Israeli occupation forces raked by medium machine-gun fire the surroundings of their position in Radar inside the Shab'a farms.

Between 2120 hours and midnight, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Damour, and flew in a circular motion over Saida-Damour and Beirut.

16 July 2004

Between 1155 and 1230 hours and between 1945 and 2220 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired several bursts of medium machine-gun fire on the open sea.

17 July 2004

Between 0230 and 0400 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired two flare shells on the open sea.

At 0840 hours, Israeli occupation forces positioned in Rweiset-Alalam inside the Shab'a farms raked by fire the surroundings of this position and, at 2249 hours, Israeli forces fired one flare shell over the Fatima gate.

Between 2140 and 2250 hours, two Israeli helicopters violated Lebanese airspace at medium altitude over the Shab'a farms.

18 July 2004

At 1424 hours, Israeli occupation forces, positioned in Ramta inside the Shab'a farms, fired several bursts of medium and light machine-gun fire towards Halta farm in the liberated area and damaged three houses and one agricultural machine.

At 2244 hours, and on 19 July at 2109 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired one flare shell on the open sea.

19 July 2004

Between 0140 and 0735 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, headed to Khalde and flew in a circular motion over Beirut Damour.

Between 0650 and 0835 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Damour, headed to Khalde and flew in a circular motion over Beirut Damour.

At 1435 hours, Israeli occupation forces positioned in Rweiset-Alalam inside the Shab'a farms raked by fire the surroundings of this position.

Between 2130 and 2400 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Khalde, and flew in a circular motion over Khalde-Saida.

21 July 2004

Between 1020 and 1230 hours, Israeli warplanes violated Lebanese airspace at different altitudes over the Shab'a farms — Hasbaya Bent Jbeil-Naqoura and Jezzine.

Between 1102 and 1124 hours, two Israeli warplanes violated Lebanese airspace at different altitudes over El-Khiam, headed north and flew in a circular motion over Chekaa and Jounieh.

Between 1110 and 1225 hours, two Israeli warplanes violated Lebanese airspace at different altitudes over Kfarchouba, and flew in a circular motion over Iqlim El-Kharoub and south Lebanon.

Between 1143 and 1148 hours, two Israeli warplanes violated Lebanese airspace at different altitudes over Saida.

Between 1230 and 1500 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, and flew in a circular motion over Hasbaya and the Shab'a farms.

Between 1230 and 1500 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude over Bent Jbeil, and flew in a circular motion over south Lebanon.

26 July 2004

Between 0855 and 1250 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Sarafand, and flew in a circular motion over Bekaa and Elchouf.

At 1014 hours, Israeli warplanes violated Lebanese airspace at high altitude over Dahr-Elbaidar.

Between 2048 and 2305 hours, an Israeli drone aircraft violated Lebanese airspace, entering from over the sea facing Damour, headed east and flew in a circular motion over Damour and then left towards the sea from above Saida.

Between 2302 and 2332 hours, an Israeli drone aircraft violated Lebanese airspace, entering from over the sea facing Damour, headed east and flew in a circular motion over Saida-Damour.

28 July 2004

Between 1130 and 1200 hours, four Israeli warplanes violated Lebanese airspace at different altitudes as follows:

- Two warplanes entered from over the sea facing Tripoli and flew in a circular motion over Baalbeck.

- Two warplanes entered from over the sea facing Jbeil and flew in a circular motion over Jbeil and Chekaa.

Between 2300 and 0400 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, and flew in a circular motion over Hamana-Chtoura.

30 July 2004

Between 0155 and 0235, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, and headed to Beirut.

Between 2050 and 2150 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Damour, and flew in a circular motion over Damour-Saida.

Between 2333 and 0025 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Beirut, and headed east.

31 July 2004

Between 0655 and 0805, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Sarafand, headed to Beirut and flew over Beirut-Khalde and Sarafand.

Between 1244 and 1348 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Sarafand, headed to Beirut and flew over Beirut-Naameh and Naqoura.

Between 1902 and 1958 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Tyre, headed to Beirut and flew over Beirut-Khalde and Naqoura.

Between 2135 and 2354 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Damour, headed east and flew over Damour and Naameh.

1 August 2004

On 31 July 2004 between 2333 and 1130 (the next day), an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, headed to Beirut and then turned back to Damour and left from above Naqoura over the sea.

Between 1050 and 1415 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, headed to Beirut and flew in a circular motion over Beirut and Damour and left from above Naqoura over the sea.

Between 2220 and 0030 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude over Beirut, headed east and flew in a circular motion over Beirut and Batroun and left from above Naqoura over the sea.

2 August 2004

Between 1935 and 2015 hours, two Israeli helicopters violated Lebanese airspace at medium altitude over the Shab'a farms.

United Nations A/58/868–S/2004/634

General Assembly
Security Council

Distr.: General
12 August 2004

Original: English

General Assembly
Fifty-eighth session
Agenda items 28 and 40 (f)

Security Council
Fifty-ninth year

The situation in Afghanistan and its implications for international peace and security

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan

The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General*

Summary

Political developments during the period under review have tended to focus on the holding of elections, which is the last formal step in the Bonn process. Some of the potential impediments to the conduct of elections for the President and lower house of parliament in September, highlighted in my report of 19 March 2004 (A/58/742-S/2004/230), in particular the difficulty of allocating parliamentary seats among provinces in the absence of convincing census data, have proved to be insurmountable. As a result, the Joint Electoral Management Body took the decision, after consultation with the Government and political parties and based on technical criteria, to hold presidential elections on 9 October and to postpone parliamentary elections until April 2005. The challenges are formidable not only in terms of creating conditions for free and fair elections but also in terms of creating the tools of governance that will enable the future elected bodies to exert their authority effectively. The commitments made by the Afghan authorities and the international community at the Berlin conference provided a comprehensive strategy for moving the peace process forward. To date delivery on those commitments has been uneven.

* The submission of the present report was delayed in order to reflect the latest developments in the electoral process.

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The increasingly tenuous security situation continues to threaten the gains of the Bonn process. Incidents have involved terrorist as well as factional and criminal activities. Those acts of violence carried out with seeming impunity have resulted in the loss of too many Afghan lives and increasingly of those of international assistance workers. They have hindered the establishment of sustainable national institutions and the delivery of economic and social assistance. The report concludes that, for the peace process to move forward, extremism, factionalism and the illicit drug trade must be addressed resolutely.

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1536 (2004) of 26 March 2004 and General Assembly resolutions 58/27 A and B of 5 December 2003. It covers the period since the previous report, dated 19 March 2004 (A/58/742-S/2004/230), to 1 August. During that period, the Security Council also received oral briefings on 24 March (S/PV.4931), 6 April (S/PV.4941), 27 May (S/PV.4979), 18 June and 14 July (the latter two were received in private consultations). Matters covered in the open briefings will not be repeated in the present report, except in summary form.

II. Implementation of the Bonn Agreement

A. Berlin conference

2. The Berlin conference (31 March-1 April), sponsored by the Governments of Afghanistan, Germany and Japan, together with the United Nations, provided an important opportunity to evaluate the progress made in the Bonn process and to determine the path forward. All participants agreed on the significant challenges to the implementation of the peace process, the steps to be taken during the electoral process in order to ensure its integrity, an outline of the post-electoral agenda, and the need to reaffirm the partnership between Afghanistan and the international community. In its work plan, endorsed by the conference, the Government of Afghanistan laid out a programme of political, social and economic reform that would have to be implemented to complete the country's transition from conflict to sustained peace and development.

3. An indispensable feature of the international community's partnership with Afghanistan is the financial support required to ensure the post-conflict transition. At the Berlin conference, the Government of Afghanistan presented a report entitled "Securing Afghanistan's future", which laid out a long-term programme of public investment and policy reform to make Afghanistan fiscally self-sufficient. The report estimated that $27.5 billion would be needed over seven years to raise annual per capita gross domestic product (GDP) to $500, make significant progress towards the Millennium Development Goals (see General Assembly resolution 55/2), and progressively eliminate the illicit drug economy. The international community responded generously by pledging some $8.2 billion towards the reconstruction of Afghanistan from 2004 to 2007.

B. Voter registration

4. The voter registration process that began on 1 December 2003 has resulted in the registration of and issuance of voter cards to some 8.7 million out of an estimated 9.8 million voters at 29 July. Women account for some 41 per cent of registered voters.

5. The second phase of voter registration began on schedule in May 2004. As previously reported, that phase involved the gradual expansion of the programme from the eight regional centres to all provincial capitals and from there to district centres. From an average of 200 teams registering at 80 sites in the first phase, the

registration process expanded in the second phase to 3,500 teams at 1,800 sites, requiring a staff of over 14,000 registration workers, nearly half of whom were women. Contrary to initial expectations, the participation of women increased as voter registration expanded beyond the main urban centres. At the end of the first phase, 29 per cent of registrants were women; that figure then rose to over 41 per cent. In the second phase, there are, nonetheless, significant regional variations: in the south women represent only 20 per cent of total registrants, while in the Central Highlands more women have registered than men.

6. The regional imbalances in total registration rates are also of concern. In some districts in the south, chronic insecurity has effectively deprived potential voters of the opportunity to register. While registration in most areas closed at the end of July, in some districts, which have been so far underserved by registration teams, activities may be extended for a few weeks. This will see measures taken to redeploy security forces to those districts in an effort to enable registration teams to operate. Clearly, similar arrangements will also be necessary for the conduct of elections.

7. Memoranda of understanding providing for out-of-country registration for the presidential election were recently concluded with the Governments of the Islamic Republic of Iran (12 July) and Pakistan (20 July). This process must now, of necessity, be completed in a very compressed time frame.

C. Elections

8. In March 2004, following broad consultations, the Government made public its intention to hold presidential and lower house parliamentary elections simultaneously in September 2004. The upper house elections, which require the prior election of advisory councils in nearly 400 districts, were delayed until the spring of 2005.

9. After two months of discussion, the Electoral Law was passed by the Cabinet on 27 May 2004, thus codifying the electoral rules for the transitional period. The discussion centred on the desire of the Government to ensure that a direct link was established between voters and their representatives in parliament and that the electoral system be as simple as possible for voters. The Cabinet opted for a system of single non-transferable votes with multiple-seat constituencies as the best way to reconcile those requirements, given the political impossibility of creating single-member constituencies at the present time. The single non-transferable vote was used for the election of delegates to the Emergency and Constitutional Loya Jirgas. In accordance with the constitution, the law also ensures that, on average, 2 seats per province will be held by women, or 68 of the total 249 seats in the lower house.

10. On 5 June, the Decree on Provincial Boundaries, delineating administrative divisions for electoral purposes, was signed, as required by the Electoral Law. Two new provinces (Panjshir and Daikundi) were created under the decree. The law also required population figures for each province to be provided by the Government 30 days after the boundary decree in order to apportion seats in the legislature. The latter requirement could not be fulfilled given the absence of reliable data and taking into account the very high political sensitivity of population figures. On 10 July, the Cabinet decided to base provincial population figures on the 1979

census and requested the United Nations to provide technical assistance to update the figures and to supervise the publication of the final outcome.

11. According to the Electoral Law, the Joint Electoral Management Body must set the date for elections 90 days prior to the election. While the constitution provided that every effort be made to hold the presidential and parliamentary elections together, the Management Body was compelled to take into account a number of legal and technical factors that affected the basic credibility of the elections and, as previously reported, the parliamentary elections in particular. For parliamentary elections to be held before the month of Ramadan, which starts in mid-October 2004, the registration of candidates for the lower house of parliament would have had to have been completed by the end of July in all 34 provinces. That process could not begin, however, before population figures were available for all provinces, which, as noted above, was in the end impossible. Holding elections during Ramadan was generally considered inadvisable and holding them directly afterwards could have led to the disenfranchisement of voters owing to the inaccessibility of large parts of the country because of winter conditions. The Management Body considered the possibility of postponing both elections until next spring in order to comply with the constitution's preference for simultaneous elections. It decided against that option, however, because the June 2002 Emergency Loya Jirga had elected the President and endorsed the Cabinet for a two-year mandate and an extension of that mandate for another 10 months was not considered to serve the interest of stability. As a result, on 9 July the Management announced that the elections would be separated. The presidential election would be held on 9 October 2004 and elections for both the lower and upper houses of parliament would be held in April 2005.

12. The provision of adequate security for the presidential elections is essential. Five thousand polling sites will operate simultaneously across the country, requiring a security deployment several times larger than that required during voter registration. The presidential candidates must be able to campaign safely in the month before the election. The coordination structures between domestic and international security forces established during voter registration are being built on and continually improved. To ensure the conditions for free and fair elections, however, a net increase in international security assistance remains indispensable. It is important that such assistance be available in Afghanistan and in time to protect the electoral campaign that will start in early September and that it remain beyond the holding of the parliamentary elections.

13. In accordance with the timelines established by the Joint Electoral Management Body (see annex), nominations for presidential candidates closed on 26 July, with 23 candidates having submitted applications to contest the ballot. With regard to the registration of political parties by the Ministry of Justice, to date, 30 political parties have been formally registered by the Ministry out of the 62 that applied. One of the more difficult aspects of the registration process has been implementing the legal provision barring from registration political groupings that have or are part of non-official military organizations. The vetting process has inevitably been cumbersome and politically difficult, in particular as some of the main partners in the Government are, or have been, heads of non-official military organizations themselves.

14. The majority of registered parties lack the most basic resources to run an effective campaign. The United Nations Assistance Mission in Afghanistan (UNAMA) has called upon donors to assist these registered parties, and a few international organizations have held workshops with parties to achieve this.

Campaign for the verification of political rights

15. As requested by the Government of Afghanistan on 20 June, the Afghan Independent Human Rights Commission and UNAMA began an open-ended process to evaluate the exercise of political rights throughout Afghanistan, with particular focus on the freedoms of expression, assembly, association and movement. That exercise will assist Afghan authorities to fulfil their obligations with regard to the electoral process, in particular their duty of impartiality and their mandate to protect and promote the exercise of political rights by voters and candidates alike. Joint public reports including recommendations, will be issued on a regular basis with a view to helping to enhance conditions for a free and fair election.

16. The first public report on the findings of the verification campaign was presented to the President, the international community and the media on 16 July. That report, which will be widely disseminated, describes a nationwide pattern of self-censorship among political formations, which are often not willing to take advantage of the freedoms granted under the new constitution for fear of suffering reprisals. That fear is often warranted since local authorities frequently consider independent political organizations and views to be a form of subversion that must be contained or suppressed. A second feature of the political environment at the national level is the lack of information and understanding, in particular in rural areas, of the electoral process. Clearly much more civic education is required to provide voters with a full understanding of the process in order to equip them to fully exercise their political choice. A third feature is the strict control that local factions exercise over government radio and television outside Kabul. Beyond these common features, the political environment varies widely from one province to the next. It is particularly restrictive in provinces like Zabul, where violent extremism makes electoral participation almost impossible (voter registration, for example, has reached only 12 per cent of the estimated voters in Zabul). It is also a matter of great concern in Herat where even political parties registered by the Ministry of Justice are being prevented from opening offices and expressing themselves. Political expression is, understandably, approached with caution. However, the process has seen some progress. In the north, the north-east and the Central Highlands, there is a gradual emergence of pluralistic political life and the beginning of a process of political organization even though political expression is still approached with caution. Finally, in Kabul, Nangarhar and Khost, there is a sense of greater freedom of expression, with political groups and the media operating relatively unhampered. The report also contains a number of recommendations to address the problems identified during the investigation. UNAMA and the Afghan Independent Human Rights Commission will follow the implementation of those recommendations and prepare a second report in mid-August.

D. Overall security situation

17. The security situation in Afghanistan is volatile, having seriously deteriorated in certain parts of the country. Attacks on national and international forces and on

electoral, government and humanitarian workers and their premises in southern Afghanistan have intensified. At the same time, in a disturbing development, several of the most serious acts of violence since the start of the Bonn process took place in the north and west of the country, areas that had been considered low-risk. The protagonists of this destabilizing activity range across a gamut of interests hostile to the peace process, from extremist elements (Al-Qaida and the Taliban, whose numbers include cross-border insurgents), to factional forces and criminals, including some involved in drug trafficking.

18. Acts of violence have, increasingly, been directed at the staff and offices of the electoral secretariat and United Nations workers. The electoral secretariat suffered its first fatalities in the east, where four Afghan female registration staff were killed in two separate bomb attacks on the vehicles in which they were travelling to registration sites in Nangarhar province on 26 June and 8 July. In the south, a team leader of the Joint Electoral Management Body in Uruzgan province and a village chief travelling on motorbikes were ambushed and shot dead by unidentified assailants on 24 July. Four days later, a bomb exploded at a voter registration site located in a mosque in Ghazni Province, killing two nationals, including a staff member of the Management Body, at a voter registration site. The incident also left seven other Afghans wounded. These tragic events were preceded by several attacks on electoral and United Nations workers; fortunately, in the latter case there were no casualties or serious damage.

19. A protracted attack on an electoral convoy, in clearly marked United Nations vehicles with a police convoy, took place in broad daylight in the south-east on 6 June: the assailants employed improvised explosive devices, rocket-propelled grenades and light weaponry. Rocket-propelled grenades were fired at a United Nations Mine Action Centre for Afghanistan demining convoy in the central and south-eastern regions on 12 June and on a compound of the Office of the United Nations High Commissioner for Human Rights (UNHCR) in the southern province of Kandahar on 18 June.

20. The view of the north as the safest area of the country was seriously undermined by a succession of violent acts. A brutal attack left 10 Chinese construction workers dead in the city of Jilawugir (Baghlan Province) on 10 June; five days later, an attack with improvised explosive devices in the town of Kondoz killed four Afghans, including the driver of a German provincial reconstruction team vehicle that was passing through the area, an improvised explosive device exploded next to a vehicle belonging to the United Nations Office on Drugs and Crime in Takhar Province on 10 June; and, throughout the period, a significant number of improvised explosive devices were laid along roads in the north-east.

21. On 2 June, gunmen in the west ambushed a Médecins Sans Frontières vehicle travelling in Badghis Province, and at close range shot and killed five staff of the organization, three international (from Belgium, the Netherlands and Norway) and two Afghans. Four days later a grenade was thrown during the night into the compound of a non-governmental organization in Badghis; fortunately no one was injured.

22. In addition to these attacks, the north and west of the country have experienced a level of factional fighting unprecedented since the fall of the Taliban and efforts to restore order have seen several emergency deployments of the Afghan National Army. As reported to the Security Council on 24 March (see S/PV.4931), fighting

between the forces loyal to Governor Ismail Khan and General Zahir involving the use of heavy weaponry took place in the town of Herat on 21 March. Some 50 to 100 people were reportedly killed in the clash, including the central Government's Minister of Aviation and a son of the Governor; while those involved dispute the facts surrounding the incident, the conflict resulted in General Zahir and his forces taking refuge in the neighbouring province of Badghis. In a negotiated agreement between the central Government and Governor Khan, troops were deployed to Herat to help restore order. Herat's intelligence chief was implicated in the incident and dismissed; however, his successor, appointed by the central Government, was denied access to his office by the Governor. On 4 July, commanders loyal to the Governor ransacked the intelligence chief's temporary office and attacked his staff, critically injuring two.

23. In Faryab Province, factional tensions culminated on 8 April when the Governor and senior officials of his administration were forced out of office by a violent crowd affiliated with the Jumbesh faction that accused them of siding with an opposing faction. During the incident, the Governor was protected by elements of the British provincial reconstruction team from Mazar-e-Sharif. The central Government deployed Afghan National Army troops to the area to restore order. Nevertheless, factional elements have thwarted the efforts by the central Government to install a new governor. Similarly, in Samangan and Sar-i-Pul, factional elements continue to prevent the governors designate from taking up their posts.

24. On 17 June, the Afghan National Army was again deployed following factional fighting, involving heavy weaponry, between the commander of the main military unit in Ghor and supporters of the provincial Governor. A presidential delegation, supported by the presence of the Afghan National Army, assisted in negotiating a settlement, which resulted in changes in senior administrative posts in the province. During the period under review there have also been sporadic clashes in Farah, Balkh and Daikundi.

25. Against this background of security concerns, Médecins Sans Frontières decided to withdraw from Afghanistan after more than two decades of uninterrupted presence in the country. This illustrates how much more work must be done to restore a security environment consistent with the expansion of humanitarian and development activities.

26. Overall, it appears that following the successful elimination by Governor Ismail Khan of his rivals in Herat, some factional leaders have concluded that the fragile inter-factional power-sharing arrangements that have been in place in several provinces of the north since 2002 can be overturned through military means and with impunity. There is a risk that further destabilization could occur in other provinces in the north and north-east where similar inter-factional arrangements exist.

27. The deterioration of the security situation must be addressed resolutely. This requires increased international forces, sufficient in number and area of responsibility, and the full cooperation of neighbouring States. I therefore welcome the recent decision by the North Atlantic Treaty Organization (NATO) to increase its troop strength to focus on improving security and I trust that it will soon be implemented.

E. Afghan National Army

28. Regarding the development of the Afghan National Army, led by the United States of America with the support of France, the central corps now consists of 15 battalions in three brigades, with a strength of almost 9,800 (including 118 staff officers), against its target strength of 70,000 to be achieved by 2009. Training is currently being undertaken by 3,000 recruits. Measures taken to improve the quality of recruits and reduce attrition rates continue to be implemented. New volunteers are now being recruited at the newly established national army volunteer centres currently in 10 regional centres, and emphasis is being placed on training Afghans to recruit the recruits. Attrition has now been reduced from 15 per cent in November 2003 to a current 1.3 per cent per month.

F. Disarmament, demobilization and reintegration

29. There has been insufficient progress in the disarmament, demobilization and reintegration of factional forces. The commitment made at the Berlin conference was to achieve the disarmament, demobilization and reintegration of no less than 40 per cent of the stated troop strength of 100,000 Afghan Militia Forces, as well as the cantonment of all heavy weapons under credible supervision by June, ahead of the 2004 elections.

30. As at 31 July, the number of men who had turned in their weapons and entered the disarmament, demobilization and reintegration programme stood at some 12,245 or, based on Ministry of Defence figures, a little over 12 per cent of the Afghan Militia Forces' troop strength. In the conduct of the disarmament, demobilization and reintegration exercise led by Japan, however, it became evident that the actual troop strength was significantly less than 100,000 and might stand at 60,000 or less, in which case the actual percentage of disarmament, demobilization and reintegration achieved to date would be closer to 20 per cent. It is worth noting that the participation of the various army corps in the exercise has been very uneven. Afghan Militia Forces units in the south-east have been practically demobilized and, in the south, disarmament, demobilization and reintegration was discontinued when it was assessed that a minimum number of soldiers from the Afghan Militia Forces units was required in the fight against the Taliban and Al-Qaida. Among the corps and units whose contribution to disarmament, demobilization and reintegration — relative to their strength — was inadequate, were the forces loyal to the Minister of Defence. These include the two largest corps of the Afghan Militia Forces, the central corps in Kabul and the corps in Parwan; only 5 per cent of these units have entered the disarmament, demobilization and reintegration programme.

31. Of the total number of former officers and soldiers who have been demobilized, some 10,380 have started their reintegration in the following areas: 40 per cent in agriculture; 39 per cent in vocational training such as carpentry, metal work or tailoring; almost 10 per cent in demining; 6 per cent in small businesses; 5 per cent in the Afghan National Police, the Afghan National Army and contracting teams.

32. Recent bouts of factional fighting involving the use of heavy weapons (referred to in paras. 22-24) underscore the urgent need to accelerate the cantonment process. After a delayed start, resulting in part from the lack of cooperation by some

senior officials and commanders, a survey was finally completed by Ministry of Defence personnel with the support of the Afghan New Beginnings Programme, the provincial reconstruction teams and UNAMA at the end of July. A total of 6,099 heavy weapons were recorded, with 1,657 deemed to be operational, 3,071 classified as reparable and 1,371 classified as not usable. Cantonment has started in four regions — Gardez, Kabul, Shiberghan and Mazar-e-Sharif — yielding a total of 1,461 weapons systems or a little over 20 per cent of the numbers surveyed. The problem of guarding of the cantonment sites is yet to be resolved. An additional problem that must also be addressed is the existence of large amounts of ammunition, often not properly stored or guarded, in many parts of the country.

G. Afghan National Police

33. The need for Afghanistan to have a trained and properly equipped national police force is acute, both for long-term state-building and in particular in the context of the upcoming elections. The existing force suffers from a shortage of trained policemen and equipment and weak command and control structures. Efforts to train a national police force have intensified through the operation of five regional training centres nationwide. These are in addition to the German-supported Police Academy and the United States-led Central Training Centre, both in Kabul. To date some 19,500 police have received training, which includes an eight-week basic Central Training Centre/regional training centre course, a four-week course for illiterate officers and a two-week transitional integration programme for veteran officers without any formal police training. Of those trained, some 4,000 have received at least one year's training at the Police Academy. The target strength of the force provides for a core of the 47,500 national police, 12,500 border police and 2,500 highway police to be reached by the end of 2005.

34. There are as yet no facilities at the provincial and district level to provide new graduates with on-the-job training and mentoring. Provincial reconstruction teams recently made a commitment to help, to the extent resources permitted and in their area of operation, to support and mentor the police. They are also helping finance the building of some government offices and police stations and filling key logistic and equipment shortfalls. This assistance is encouraging, but by its nature can only address part of the overall need.

35. International support for Afghanistan's police was reaffirmed and increased through the holding of the Doha conference on police reconstruction in Afghanistan on 18 and 19 May. Representatives from 26 countries met in Qatar at the invitation of the Governments of Afghanistan, Germany, Qatar and the United Nations, and confirmed that $350 million in international resources would be earmarked for police programmes over the next few years.

36. An immediate need is the provision of some $148.6 million in donor funding for the Law and Order Trust Fund for Afghanistan, administered by the United Nations Development Programme (UNDP), to cover salaries, equipment, institutional development and rehabilitation of police stations until 31 March 2005. To help improve the timeliness of salary payments — delays of two to three months are not uncommon — a "smart" identification card system is currently being tested in Kabul.

H. Justice sector reform

37. While progress remains slow, several initiatives have been taken to reform the system of justice: a year-long training programme organized by the Judicial Reform Commission for young professionals was recently concluded; the International Development Law Organization continues to run courses for judges, prosecutors and personnel from the Ministry of Justice from Kabul and the provinces; and Italy, as lead nation, has organized a six-week training programme for 120 professionals on the interim code of criminal procedure for judges, prosecutors, defence lawyers and policemen. Other initiatives include the establishment of a department for the administration of juvenile justice within the Ministry of Justice and the start of a pilot legal aid project. In the area of law reform, drafts of a penitentiary law, a juvenile code and by-laws for the new code of criminal procedure are being developed.

38. Because of competing fiscal priorities facing the Government and the low level of donor support for the rehabilitation of the corrections system, very limited progress has been possible in that area. There is still little capacity at the district level for the police to appropriately detain accused persons at the time of arrest. These limitations notwithstanding, restructuring of corrections facilities is under way in Kabul and the refurbishment of the female detention centre in Kabul has been completed.

39. Progress is hampered by a lack of coordination between the main justice institutions; the inroads made by the drug mafia at many levels within the institutions of State, the slow expansion of effective national security institutions, interference by civil and military authorities in the administration of justice, as well as a lack of adequate financial support and coordination of reform programmes in the security sector.

I. Counter-narcotics activities

40. In 2003 Afghanistan experienced its second largest opium harvest since 1999, estimated at 3,600 tons of opium, which accounted for more than three quarters of the world's illicit opium production. Despite efforts made to counter the trend, all indicators point to yet another large increase in the harvest for 2004. The widespread cultivation and processing of opium poppy and trafficking in opium, together with the growing involvement of civilian, military and police authorities in the drugs trade, threaten to bring closer the worst-case scenario of Afghanistan becoming a State in which the economy is dominated by drug trafficking. The burgeoning illicit drug trade is threatening reconstruction efforts and state-building in the country as well as longer-term peace and stability in the region. It is also undermining legitimate economic activities, the establishment of the rule of law and is responsible for supporting factional agendas and anti-government elements. The illegal trade is also impeding genuine disarmament, demobilization and reintegration as those involved in the drug economy are developing and nurturing the private militias needed to run a drug business.

41. The Ministry of the Interior has taken a number of initiatives to stem this illicit economy. Its Central Eradication Planning Cell launched a campaign for the eradication of opium poppy in 16 key opium-producing provinces in April 2004.

Implemented by the governors on the basis of targeted and uncompensated eradication, the campaign is nearing completion for 2004. Preliminary reports indicate that the endeavour may have been largely ineffective, as implementation was often not carried out in line with the targeted campaign or it took place in diseased or poor-yield opium poppy fields. In addition to the governor-led campaign, the Central Poppy Eradication Force, consisting of police officers from the Ministry of the Interior, began conducting eradication in May 2004 and has eradicated over 600 hectares of opium poppy in Wardak Province.

42. The operation of clandestine laboratories processing opium into heroin or morphine and the trafficking in those narcotic substances to the country's external borders continue. The Special Narcotics Force of the Ministry of the Interior, created in January 2004 to conduct interdiction operations, has been active in the destruction of laboratories and in the seizure of opiates. However, in view of the magnitude of the problem, greater determination and larger numbers of enforcement personnel than are currently assigned to this task are necessary to make a significant impact in interdicting illicit drugs.

43. Steps have also been taken to improve coordination of the various initiatives being undertaken in the fields of eradication and interdiction. A Counter-Narcotics Steering Group, chaired by the National Security Adviser and run by the Government's Counter-Narcotics Directorate with the assistance of the United Kingdom of Great Britain and Northern Ireland and the United Nations Office on Drugs and crime, was set up in May 2004. Pursuant to the Declaration on Counter-Narcotics within the Framework of the Kabul Declaration on Good-Neighbourly Relations, signed at the Berlin conference, Afghanistan and its six neighbours met on 30 June to discuss the practical support they could provide to implement the Declaration, which provided, among other things, for increased collaboration between Afghanistan and its neighbours in the fight against narcotics and the establishment of a security belt around Afghanistan to assist in interdiction efforts. It was agreed that the initiative would be pursued further through multilateral and bilateral channels.

J. International Security Assistance Force commanded by the North Atlantic Treaty Organization

44. In the Berlin Declaration, the Government of Afghanistan repeated the request made by the participants at the Bonn conference for international forces to be deployed in Afghanistan until the new Afghan security forces are sufficiently constituted and operational. My successive Special Representatives for Afghanistan and I have, since the Bonn talks, strenuously and repeatedly called for more international forces, above and beyond the provincial reconstruction teams, in the conviction that their presence would make the difference between success and failure in the Afghan peace process. The announcement at the NATO summit in Istanbul on 28 and 29 June that the Organization would not only take on the command of four new provincial reconstruction teams but would also deploy extra troops to support the upcoming elections was therefore welcome. I trust the deployment of these additional resources in Afghanistan will be adequate in number and area of responsibility.

45. Decisions taken by NATO in Istanbul will enable it to complete the first phase of expansion of the International Security Assistance Force, which involves, in addition to its provincial reconstruction team in Kondoz, taking command of existing provincial reconstruction teams in Mazar-ie-Sharif and Maimana and establishing new ones in Faizabad and Baghlan. NATO has also decided to establish a forward support base at Mazar-ie-Sharif, temporary satellite bases in Sar-i-Pul, Samangan and Shiberghan; a quick reaction force and an additional battalion-size operational reserve; and five infantry companies of around 100 soldiers to support each of the provincial reconstruction teams.

46. These extra forces will be vital to bolster the capacity to provide direct security assistance and to support the efforts of provincial reconstruction teams in the electoral process. In the past months, it has already become evident that provincial reconstruction teams and the Afghan National Army are not sufficient to respond to the security demands generated by the electoral process. We trust therefore that NATO will be able to deploy extra forces ahead of the electoral campaign, which will start in early September. We continue to welcome with appreciation the work being carried out by NATO and coalition planners in defining the security assistance that will be provided for elections and that will assist the Joint Election Management Body in finalizing its planning for the conduct of the ballots.

K. Human rights situation

47. The human rights situation in Afghanistan is a continuing source of serious concern. In the north, north-east and west, commanders act with impunity and are seen by many as being responsible for a wide range of repressive activities. The role of local authorities in carrying out violations is particularly worrisome as their involvement in acts of intimidation, extortion, arbitrary arrest, illegal detentions and forced occupation strengthens perceptions of impunity and tarnishes people's views of the central Government. The reappointment of confirmed human rights violators to government posts compounds this problem.

48. The first post-Taliban execution was carried out on 19 April 2004 when a military commander from Paghman was sentenced to death in March 2003 after being tried and convicted of killing 20 people between 1992 and 1996. The United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions urged that the death penalty be suspended and a moratorium on executions be put in place until basic standards for imposing the death penalty could be met. The Government has stressed that the execution was carried out because of the gravity of the crimes committed.

49. In accordance with Commission on Human Rights resolution 2003/77, I appointed an independent expert on human rights in Afghanistan, Cherif Bassiouni, in April 2004. He is working with the Government, the Afghan Independent Human Rights Commission, as well as the Office of the United Nations High Commissioner for Human Rights and UNAMA to develop a programme of advisory services to ensure full respect for and protection of human rights and to help prevent human rights violations by seeking, receiving and reporting information on violations.

50. Women continue to be detained for offences against social mores; "honour crimes" and death threats often follow a woman's escape from a forced or arranged

marriage. The absence of legal and social support systems has left many women trapped in abusive situations, from which they sometimes try to escape by drastic measures, including suicide and self-immolation.

51. Child kidnappings also continue to increase. Some families in the provinces of Helmand and Kandahar and elsewhere have become reluctant to send their children to school because of fears they will be abducted. Evidence suggests that the kidnapped children are being trafficked for sexual purposes and forced labour. The Government, in cooperation with the Afghan Independent Human Rights Commission, is focusing on the problem and has recently formulated a national plan of action to combat trafficking in children.

52. Complaints about forced eviction and the illegal occupation of land continue to be pervasive throughout the country. Efforts by the courts to address these issues have generally failed because many of the perpetrators are connected to powerful figures within the Government. President Hamid Karzai has appointed a commission, chaired by Vice-President Karim Khalili, to investigate the matter. The commission has, however, acknowledged that the level of corruption in the municipalities has prevented it from being effective. United Nations bodies, including UNHCR and the United Nations Centre for Human Settlements (Habitat), as well as other international agencies, are attempting to assist the Government in its efforts to address the matter.

L. Recovery, rehabilitation and reconstruction

53. The Government has made significant progress in meeting a number of the commitments contained in the work plan endorsed at the Berlin conference. In the areas of public administration, fiscal management and some aspects of private sector and economic and social development, benchmarks have been met, or soon will be at the current rate of progress. These successes demonstrate that serious domestic political commitment and effective and coordinated international support can overcome some of the significant obstacles to reform that result from decades of war.

54. Progress has, however, been slower in the areas of the rule of law, land management, disarmament and especially counter-narcotics. This lack of progress is, not surprisingly, most obvious where the reform process comes up against entrenched informal actors and networks whose interests are abetted by a weak State that is unable to apply force or to impose formal rules throughout the country. The state-building process outlined in the Bonn Agreement (see S/2001/1154) and, more recently, in the Government's work plan assumes that the formal institutions of the State will be able to control progressively the informal actors and networks that have characterized the nature of power in Afghanistan in recent years. This is to be achieved through the growing legitimacy of the Government and effectiveness of its organs and institutions, such as the police, courts and armed forces. However, those networks of informal actors, enriched by proceeds from the illegal economy — in particular from drug trafficking, illegal taxation and land appropriation — are resisting the reform process. Confronted with such resistance, the international community will need to redouble its efforts to support institutions dedicated to law enforcement, due process and accountability as primary tools to combat corruption.

55. Soon after the Berlin conference, a second meeting of the Afghanistan Development Forum was held in Kabul, from 20 to 22 April, attended by some 40 delegations. President Karzai announced a series of new national priority programmes and made a commitment to overhaul the ministerial structure. The discussions facilitated the finalization of the development budget, which was approved by the Cabinet on 30 June 2004. Total development expenditures are planned at $4.5 billion; funding has already been identified for $3.7 billion of the expenditures. The budget is divided into a core development budget and an external development budget. The core budget is fully financed. Operating expenditures will increase from $458 million in 2003 to $609 million. Development expenditures flowing through the Treasury will increase from less than $200 million in 2003 to more than $1 billion in 2005. A majority of these development expenditures will be for the national priority programmes.

56. The Priority Reform and Restructuring decree continues to be the primary vehicle for reforming and modernizing the most critical functions of government. A critical measure of the Decree, which is helping effect reform of the bureaucracy, allows ministries and other government entities to place key staff on an elevated pay scale for a fixed term. The next step calls for extension of the process to provincial governments.

57. The Government has also introduced an integrated framework for short-term capacity-building, which will allow key civil servants to be paid salaries that are comparable with rates paid to Afghan nationals employed by non-governmental organizations, enabling the Government to compete effectively for the best recruits. The Government has also developed a mechanism by which exceptionally qualified Afghans may be recruited as long-term advisers. The Government, through the Afghanistan Reconstruction Trust Fund, is also able to hire international technical assistants for short-term technical, design and feasibility studies. Implementation of these initiatives will readdress many of the capacity constraints within government over the next two years.

58. The Government has begun to put in place a legal framework to ensure that civil servants are accountable for the execution of their duties. The proposed public finance and expenditure management law imposes specific penalties on any civil servant who uses his or her position for material gain or who otherwise abuses it. The proposed procurement law is expected to include similar provisions. The draft civil service law will include a code of conduct specifying conflict-of-interest rules and other provisions to increase accountability and transparency. The Government has also appointed a new Anti-Corruption Commissioner. Reforms to the Auditor-General's Office and Attorney-General's Office, however, need greater support if those offices are to be effective.

59. The National Solidarity Programme — one of several national priority programmes — continues to make progress. Over 4,300 community development councils have been elected by secret ballot and $12 million in block grants has been disbursed to the councils. A number of the implementing non-governmental organizations are experiencing severe security constraints, which has slowed down the implementation of National Solidarity Programme projects.

60. From 10 to 12 May, a high-level conference on regional economic cooperation was held in Bishkek, supported by UNDP and attended by government officials and business leaders from the region. They discussed public and private sector assistance

initiatives and how the region could contribute to Afghanistan's economic growth, focusing in particular on efforts to reduce trade barriers, improve transport infrastructure and streamline border bottlenecks. The declaration adopted by the conference stressed the importance of regional cooperation for Afghanistan's recovery and the stability of the region. The declaration also urged donor support, especially for private sector development, through the establishment of an export and investment guarantee fund.

61. The Government of Afghanistan hosted the Second Economic Cooperation Organization Regional Trade and Investment Conference in Kabul from 18 to 20 April, with 1,000 participants, including high-level officials and delegates. The conference noted Afghanistan's potential for sustainable investment and trade.

M. Refugee return

62. By 20 May UNHCR had facilitated the return of 156,426 individual refugee to Afghanistan in 2004. Of these, 116,404 returnees came from Pakistan and 39,897 from the Islamic Republic of Iran. Since the operation began in March 2002, a total of 2,432,127 individuals (429,476 families) have been helped to repatriate to Afghanistan, among them 1,990,086 individuals from Pakistan and 431,310 individuals from the Islamic Republic of Iran. An additional 274,128 Afghans have returned spontaneously from the Islamic Republic of Iran since 2002. The number of returns from Pakistan in 2004 increased by about 30 per cent in comparison with 2003. It should also be taken into account that facilitated return from Pakistan only resumed on 1 March 2004, following a temporary hold due to security concerns. Of the returnees from Pakistan in 2004, some 25 per cent returned from camps, while some 75 per cent returned from urban areas. The Government estimates that at least 2.5 million to 3 million Afghans are still outside the country, in addition to approximately 200,000 internally displaced persons based in the south and west of the country.

N. Demining

63. Mines and unexploded ordnance contamination continues to be a major concern. Currently there are approximately 100 victims per month; more than 30 per cent of the victims are under the age of 18 and as many as 10 per cent are women and girls. There are approximately 1.3 billion square metres of contaminated land in Afghanistan, or 50 square metres for every Afghan man, woman and child. To date, the Mine Action Programme for Afghanistan has cleared more than 300 square kilometres of high-priority minefield and 522 square kilometres of former battle area, provided approximately 10.6 million Afghans with mine risk education training and trained and provided more than 25,000 school teachers with mine risk education teaching materials.

O. Mission support

64. Emergency medical care is the highest priority for mission support at the present time. The number of doctors at the Kabul clinic of the United Nations Operations Centre in Afghanistan has been increased from two to five (including a

surgeon and radiologist), with the addition of a dentist and a laboratory technician. For each of the seven regional offices outside Kabul, one national physician is being recruited, medical equipment has been ordered and a clinic is being completed.

65. UNAMA, UNDP and the United Nations Office for Project Services have placed their aircraft under joint air operations management, in particular to perform medical evacuations. The helicopters have already been used to provide medical support in Gardez, Jalalabad, Kondoz and Panjao. One armoured vehicle is being purchased for each region and will be deployed upon arrival to bring the fleet to 12 in the mission. Vehicles used for road missions are being equipped with ballistic blankets.

66. In the current environment, it is obvious that immediate additional security measures must be taken, including as regards air assets and security personnel. A needs assessment is currently being finalized, the results of which may necessitate a request for additional supplemental funds.

III. Observations

67. During the period under review, the most striking aspect of the Bonn process no doubt has been the registration of voters for the 2004 election. With some 8,659,772 million voters registered as at 28 July, of which about 41 per cent are women, the process shows strong momentum and provides a clear response to the efforts of the Taliban and other extremist groups to derail the elections and to exclude women from public life. Problems with registration continue to exist, however, in those parts of the south and south-east where insecurity caused by extremist violence acts as a deterrent for voters and electoral workers alike. Strenuous efforts will be made in the coming weeks to overcome this situation and to ensure that registration is as balanced as possible between the various provinces of Afghanistan. If these issues are addressed successfully, the national voters' list should be comprehensive enough by the end of August to give the 2004 election the broad basis required to provide the elected president with full legitimacy.

68. Other aspects of the political process have not, however, moved at the same pace. From the point of view of electoral prerequisites, the issue of credible population figures for the 34 provinces is still outstanding and is one of the main causes behind the decision of the Joint Election Management Body to delay the parliamentary election. Disarmament is also behind schedule, however, which is largely why the vast majority of Afghans have endorsed the decision of the Management Body. Indeed, across the country the perception remains that the outcome of the election at the local level will be a direct function of the presence or absence of militias. Beyond disarmament, demobilization and reintegration, the first joint report on the exercise of political rights by the Afghan Independent Human Rights Commission and UNAMA shows that progress must be made in other areas in order to create a more level playing field between political forces.

69. The period under review has also been characterized by a heightening of the challenge posed by the three main threats to the consolidation of peace and stability in Afghanistan, namely extremist violence, factionalism and the narcotics industry. Attacks by extremists and cross-border infiltrations have intensified, in particular in the country's south, and while the success of voter registration has shown the political isolation of those groups, the insecurity that they continue to create

effectively deprives a number of communities of the benefit of reconstruction, stretches existing security forces, slows down disarmament, demobilization and reintegration and in general, places a very heavy burden on the new and fragile Afghan State. The problems relating to factionalism have also been in evidence in recent months with events in Herat, Badghis, Ghor, Faryab and Balkh, which have shown a propensity by local leaders to use violence to upset the balance of power in a series of provinces, which the Afghan National Army is not yet able to roll back. Finally, eradication and interdiction efforts have not so far proved able to contain the growth of illicit cultivation and drug trafficking. Associated with this is an increase in the level of corruption, which affects the Government at the local and central level.

70. Against this background, I must state once again the vital importance of security assistance to Afghanistan. It is essential to provide better prospects for the success of the electoral process, but it is also necessary to serve as a deterrent against factional violence, to assist the deployment of Afghan security forces and, in particular, to help them control the illicit drug economy. Such assistance remains as urgent a requirement as it was after the signing of the Bonn Agreement. In this regard, we have been encouraged by the decision made by NATO at its summit in Istanbul to make more troops available to Afghanistan and trust that they will be deployed well ahead of the presidential elections and well beyond. Through voter registration, the people of Afghanistan are showing that they are prepared to seize the opportunity offered by the Bonn process to build a new country and a new State, and to take risks in the process. The task is certainly daunting in a great many respects, but the people of Afghanistan are nevertheless facing it with courage and confidence. They deserve our unwavering support.

71. In conclusion, I take this opportunity to thank my Special Representative and the staff of UNAMA for their continuing dedicated efforts on behalf of Afghanistan.

Annex

Joint Electoral Management Body

A. Timeline for the first round of the presidential election on 9 October 2004

Date	Days before the election	Event
Friday, 9 July	92	Announcement of the date of the election.
		Publication of the electoral calendar.
Saturday, 10 July	91	Opening of nominations.
Monday, 26 July	75	Closing of nominations.
		Deadline for resignation of judges, attorneys and officials who are candidates.
Thursday, 29 July	72	Publication of the preliminary list of candidates.
Saturday, 31 July	70	End of voter registration in most provinces.
Monday, 2 August	68	Deadline for public objections.
		Deadline for the Joint Election Management Body (JEMB) to notify candidates of deficient nominations.
Monday, 9 August	61	Deadline for rectification of deficient nominations.
Tuesday, 10 August	60	Posting by JEMB of the final list of candidates.
		Deadline for establishment of the Media Commission.
Tuesday, 24 August	46	End of voter registration data entry.
Sunday, 29 August-Thursday, 2 September	41-37	Posting of and challenges to provisional electoral rolls.
Tuesday, 7 September	32	Opening of the campaign.
Tuesday, 14 September	25	Deadline for the JEMB to determine all challenges electoral rolls.
Friday, 24 September	15	Deadline for the JEMB to certify and post the final electoral rolls.
Wednesday, 6 October	3	Closing of the campaign.
Saturday, 9 October	0	Polling day.

B. Indicative timetable for parliamentary elections

Days prior to polling	*Month*	*Event*
At least 120	December 2004	Signature of the decree designating district boundaries by the President.
110	December 2004	Deadline for lodging objections to electoral boundaries.
At least 90	January 2005	Provision by the Central Statistics Office of population figures for each province and district.
		Declaration by the Joint Election Management Body (JEMB) of the election date and publication of the electoral calendar.
		Opening of nominations.
75	January 2005	Deadline for nominations to be filed with JEMB.
		Deadline for resignation of judges, attorneys and officials intending to nominate.
68	February 2005	Finalization by JEMB of decisions relating to the eligibility of candidates.
61	February 2005	Rectification by candidates of deficient nominations.
Date fixed by JEMB	February 2005	Deadline for public objections to candidates.
At least 60	February 2005	Re-establishment by JEMB of the Media Commission
		Posting by JEMB of lists of parties and candidates.
32-3	March-April 2005	Campaign period.
15	March-April 2005	Certification and posting by JEMB of the electoral rolls.
	April 2005	Polling day.

United Nations A/58/869–S/2004/646

General Assembly
Security Council

Distr.: General
12 August 2004

Original: English

General Assembly
Fifty-eighth session
Agenda item 30
Question of Cyprus

Security Council
Fifty-ninth year

Letter dated 12 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I would like to bring to your attention the recent intensification of activities related to the illegal exploitation of Greek Cypriot properties in the Turkish occupied area of the Republic of Cyprus, through, inter alia, the systematic construction of homes, villas and hotels on Greek Cypriot-owned land and/or the sale of Greek Cypriot property to foreigners, and to express our strong concern over the unfavourable repercussions that such actions may have on efforts to find a just and viable solution to the Cyprus problem.

In fact, these actions further complicate the sensitive issue of property rights and have the potential, if not stopped, of creating a new fait accompli in the de facto division of the island, which was imposed upon Cyprus through the use of military force and sustained by the Turkish occupation army since 1974, in flagrant violation of relevant Security Council resolutions. Furthermore, they undermine continuing efforts towards reconciliation and mutual trust between the two communities.

It should be noted that these actions constitute a violation of relevant decisions of the European Court of Human Rights and blatantly demonstrate disrespect towards an independent and internationally recognized judicial body. In fact, the case of the violation of the human rights of Greek Cypriots by Turkey, in general, and of their property rights, in particular, were brought before the European Court of Human Rights, and in the four cases in which the Court issued a ruling (namely, the *Loizidou v. Turkey* judgement (1996, 1998), the *Michaelidou Developments Ltd. and Tymvios v. Turkey* judgement (2003), the *Demades v. Turkey* judgement (2003) and the *Cyprus v. Turkey* judgement (2001)), it found that Turkey was violating the fundamental right to property of the Greek Cypriot legal owners.

The aforementioned judgements of the European Court of Human Rights clearly established that the administrative practice carried out by the local administration in the occupied area of Cyprus, which is subordinate to Turkey, of issuing "title deeds" to new occupants of properties belonging to Greek Cypriots is based on the so-called "legislative" and "constitutional" provisions of the said

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administration, which in no case whatsoever can be attributed any legal validity. The European Court of Human Rights concluded that Greek Cypriot owners could not be deemed to have lost their property and that they had always remained and would continue to remain the only true and lawful owners of their properties in the occupied area of Cyprus.

Taking into account the true legal position in the matter of Greek Cypriot property rights, as upheld by the European Court of Human Rights, in conjunction with the belated compliance of Turkey with the judgement of the Court in the *Loizidou v. Turkey* case, which implies the acceptance of the ruling of the court, namely, that Mrs. Loizidou and all other dispossessed owners, for that matter, were still "... the legal owner(s) of the land" and that Turkey "actually exercises detailed control over the policies and actions of the authorities of the 'TRNC' [Turkish Republic of Northern Cyprus] ... [and] that her army exercises effective overall control over that part of the island", once can rightfully question the meaning and the final political aims and objectives, as well as the political repercussions, of the current increase in the illegal exploitation of Greek Cypriot properties in the Turkish-occupied area of Cyprus.

It should also be noted that even the frequently presented excuse, or pretext, that these actions and transactions are of a private nature and allegedly fall outside the scope of international obligations, as defined by international law and jurisprudence, is easily rebuffed, as the responsibility and obligations of Turkey in the matter of Greek Cypriot property rights in the occupied area of Cyprus were clearly reaffirmed by the relevant rulings of the European Court of Human Rights.

Moreover, it should be pointed out — especially since the current phenomenon of escalating exploitation of Greek Cypriot-owned properties in the occupied area of Cyprus is related, inter alia, to the selling of properties to citizens of third countries — that the only authority in Cyprus to execute any act in the field of property rights transfer is the Government of the Republic of Cyprus. Therefore, entering into a "deal" for the purchase of immovable property belonging to Greek Cypriots situated in the area of Cyprus under Turkish military occupation constitutes an illegal act which could expose the "buyer" to grave legal and financial consequences. In fact, such "buyers" who essentially "purchase" property which does not belong to the "seller" run the risk of being sued at any time by the Greek Cypriot rightful owners, either before the courts of the Republic of Cyprus or before competent national courts abroad for trespass or conspiracy to commit trespass.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 30, and of the Security Council.

(*Signed*) Andreas **Hadjichrysanthou**
Chargé d'affaires a.i.

United Nations A/58/870–S/2004/647

General Assembly
Security Council

Distr.: General
13 August 2004

Original: English

General Assembly
Fifty-eighth session
Agenda items 67 and 156

Security Council
Fifty-ninth year

Review of the implementation of the Declaration on the Strengthening of International Security

Measures to eliminate international terrorism

Identical letters dated 12 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General and President of the Security Council

I am writing in order to draw your attention to the latest terrorist attacks perpetrated against the citizens of Israel.

On 11 August 2004, Palestinian terrorists detonated a bag containing explosives and packed with metal shards at the Qalandiyah checkpoint at the northern entrance to Jerusalem. The terrorists travelled by car from Jenin southward all the way towards Jerusalem, likely stymied in their attempts to enter Israel further north because of the security fence. Six Israeli soldiers and twelve Palestinian civilians were wounded in the blast and two Palestinian bystanders were killed. Later, Yasser Arafat's own Al Aqsa Martyrs' Brigade proudly claimed responsibility for this act of violence and murder.

Meanwhile, rocket attacks continue to be regularly launched from the Gaza Strip against Israeli civilians, as described yesterday in the briefing to the Security Council. In the last month alone, more than 60 rockets have been launched from Beit Hanoun at Israeli communities near the Gaza Strip, causing injury and property damage. These rocket attacks, like other acts of Palestinian terror, are employed with the specific intent of killing and injuring as many civilians as possible.

This continued Palestinian use of terrorism, with the support and toleration of the Palestinian leadership, is not just an ongoing and egregious violation of basic international norms, signed commitments and the explicit terms of the Road Map. It is the enemy of peace in the region, and endangers the lives of both Israelis and Palestinians.

The firing of rockets from civilian areas in Beit Hanoun is a grave violation of international humanitarian law not only because it targets innocent Israeli civilians.

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Palestinian residents' lives are also put at risk, and held hostage, by the continued and despicable tactic adopted by Palestinian terrorists by which innocent Palestinians are used as human shields and civilian areas are used as staging grounds for terrorist atrocities in direct violation of the most basic human rights and humanitarian norms. In one recent grave incident, on 22 July 2004, a 15-year-old Palestinian boy, Hassan Jameel Al-Zaanin was killed in cold blood by Fatah Al Aqsa Martyr's Brigade terrorists when he tried to stop them from launching a Qassam rocket attack near his family home.

In the latest letter submitted to the President of the Security Council by the Palestinian Observer, dated 9 August 2004 (A/ES-10/276-S/2004/630), the death of Hassan Jameel Al-Zaanin was described as though he was killed by Israeli forces, a disingenuous absurdity. Of course, the fact that this letter presents so blatantly false an allegation should come as no surprise. The international community is very familiar with the perverse misrepresentations and outright fabrications in Palestinian statements that include referring to murderers as "martyrs", to armed terrorists as though they were innocent civilians and to the innocent victims of Palestinian terrorism as though they were non-existent. This is part of a well-known pattern of letters that ignore Palestinian responsibilities and Israeli rights and fail to recognize the excruciating difficulties faced by Israeli forces in trying to protect their citizens — and minimize harm to Palestinian civilians, who are tragically caught in the crossfire — when the terrorists they confront show as little concern in their tactics for Palestinian lives as they do for Israeli ones.

This letter and the countless before it are simply inconsistent both with the reality on the ground and with the path of mutual rights and obligations laid out in the Road Map. Sadly, however, the letter is consistent with the Palestinian leadership's refusal to take any responsibility for the pain and suffering that they have inflicted on their own people and the Israeli people, as was also demonstrated in yesterday's terror attack in Jerusalem. Israel calls upon the international community to reaffirm its absolute rejection of terrorist tactics, to accept nothing less than the complete dismantling of terrorist organizations and to use its authority to compel all regimes that sponsor terrorism in the region to fulfil their responsibilities in accordance with international law and Security Council resolutions, in particular resolution 1373 (2001), and the Road Map, so that both parties can finally move forward towards peace and reconciliation.

I submit the present letter in follow-up to numerous letters detailing the campaign of Palestinian terrorism that began in September 2000, which document the criminal terrorist activity for which the terrorists and their supporters must be held fully accountable. I am submitting an identical letter to the President of the Security Council.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-eighth session of the General Assembly, under agenda items 156 and 67, and of the Security Council.

(*Signed*) Arye **Mekel**
Ambassador
Deputy Permanent Representative